

# 458 87-56-A **PETITION FOR ZONING VARIANCE + AMENDMENT** TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1 B01.2.0.6(N.P.5B) to permit a building setback of 15 feet to the tract boundary in lieu of the required 30 feet. And to amend the fourth amended final development plan of "Cunninghill Cove".

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)  
No room for a garage with existing setbacks.

MAP NE 2M  
5B  
E.D. 15  
DATE 4-2-87  
200  
1000  
DP

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:  
(Type or Print Name)  
Signature  
Address  
City and State

Legal Owner(s):  
(Type or Print Name)  
Signature  
Address  
City and State

Attorney for Petitioner:  
(Type or Print Name)  
Signature  
Address  
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
Name  
Address  
City and State  
Phone No.

Attorney's Telephone No. 353-4924

ORDERED BY The Zoning Commissioner of Baltimore County, this 9th day of July, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 19th day of August, 1986, at 9:45 o'clock

Zoning Commissioner of Baltimore County.  
(over)

IN RE: PETITION FOR ZONING VARIANCE  
SE/S of Cunningham Hill Cove Rd.,  
410' SW of Cunningham Circle  
(12817 Cunningham Hill Cove Rd.)  
15th Election District

BEFORE THE  
DEPUTY ZONING COMMISSIONER  
OF BALTIMORE COUNTY

Bay Country Joint Venture  
Case No. 87-56-A

Petitioner  
\*\*\*\*\*

The Petitioner herein requests a zoning variance to permit a building setback of 15 feet to the tract boundary in lieu of the required 30 feet, and additionally, to amend the Fourth Amended Final Development Plan of "Cunninghill Cove."

Testimony on behalf of the Petitioner indicates that the proposed location of the residence and the attached garage will provide more lawn and less impervious pavement, improved aesthetics and better living arrangements for the contract purchaser.

The adjacent neighbor expressed concerns and his preference that the proposed residence be laid out from east to west. Immediately following the hearing and a conference with counsel for the Petitioner, however, the neighbor submitted a letter for the file requesting the granting of the variance.

After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners, it is determined that the variance requested would not adversely affect the health, safety, and general welfare of the community and should therefore be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 20th day of August, 1986, that the herein request for a variance to permit a building setback of 15 feet to the tract boundary, and to amend the Fourth Amended Final Development Plan of "Cunninghill Cove", in accordance with

the plan submitted, prepared by W. Duvall & Associates, Inc., dated May 7, 1986 and identified as Petitioner's Exhibit 1, is hereby GRANTED, from and after the date of this Order.

Jean M.H. Jung  
Deputy Zoning Commissioner  
of Baltimore County

BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

JEAN M. H. JUNG  
DEPUTY ZONING COMMISSIONER

August 20, 1986

Lawrence M. Macks, Esquire  
6615 Reisterstown Road  
Baltimore, Maryland 21215

RE: Petition for Zoning Variance  
SE/S of Cunningham Hill Cove Road  
410' SW of Cunningham Circle  
(12817 Cunningham Hill Cove Rd.)  
15th Election District  
Case No. 87-56-A

Dear Mr. Macks:

Please be advised that your request for a zoning variance in the above referenced Petition has been granted in accordance with the attached Order.

If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,  
Jean M.H. Jung  
Deputy Zoning Commissioner

JMHJ:bjs

Attachments

cc: Mr. Scott Fritz  
12815 Cunningham Hill Cove Road  
Baltimore, Maryland 21220

People's Counsel

## **ZONING DESCRIPTION**

Beginning for the same at a point, said point being located on the southeast side of Cunningham Hill Cove Road, said point also being located 410 feet plus or minus southwest of intersection of Cunningham Hill Cove Road and Cunningham Circle, thence leaving the said Cunningham Hill Cove Road for lines of division, more particularly described as follows:

South 39 degrees 49 minutes East, 95 feet thence, North 50 degrees 11 minutes East 120.00 feet thence, South 39 degrees 49 minutes East 65.63 feet thence, South 39 degrees 14 minutes 42 seconds West 152.41 feet thence, North 39 degrees 49 minutes West 185.76 feet thence, North 50 degrees 11 minutes East 10.00 feet, to the place of beginning, containing 0.255 acres of land, more or less.

Being the lot number 27, in block "E", as shown on the plat "Part of Plat Four Cunningham Hill Cove" as recorded in the Land Records of Baltimore County, Maryland, in the 15th Election District, E.H.K. Jr. 53/29 said lot also being known as #12817 Cunningham Hill Cove Road.

## **PETITION FOR ZONING VARIANCE AND AMENDMENT**

15th Election District

Case No. 87-56-A

LOCATION: Southeast Side of Cunningham Hill Cove Road, 410 feet Southwest of Cunningham Circle (12817 Cunningham Hill Cove Road)

DATE AND TIME: Tuesday, August 19, 1986, at 9:45 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance and Amendment to permit a building setback of 15 feet to the tract boundary in lieu of the required 30 feet and to amend the Fourth Amended Final Development Plan of "Cunninghill Cove".

Being the property of Bay Country Joint Venture, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCES  
SE/S of Cunningham Hill Cove Rd., 410' SW of Cunningham Circle (12817 Cunningham Hill Cove Rd.), 15th District

BEFORE THE ZONING COMMISSIONER  
OF BALTIMORE COUNTY

BAY COUNTRY JOINT VENTURE,  
Petitioner

Case No. 87-56-A

## **ENTRY OF APPEARANCE**

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

Peter Max Zimmerman  
Peter Max Zimmerman  
Deputy People's Counsel  
Rm. 223, Court House  
Towson, MD 21204  
494-2188

I HEREBY CERTIFY that on this 26th day of July, 1986, a copy of the foregoing Entry of Appearance was mailed to Lawrence M. Macks, Esquire, 6615 Reisterstown Rd., Baltimore, MD 21215, Attorney for Petitioner.

Peter Max Zimmerman

87-56-A

## **BALTIMORE COUNTY OFFICE OF PLANNING & ZONING**

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this 9th day of July, 1986

ARNOLD JABLON  
Zoning Commissioner

Petitioner: Bay Country Joint Venture Received by: James E. Dwyer  
Petitioner's Attorney: Lawrence M. Macks, Esquire Chairman, Zoning Plans Advisory Committee

RECEIVED FOR FILING  
DATE 8/26/86  
BY Peter Max Zimmerman

June 24, 1987



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3333

ARNOLD JABLON  
ZONING COMMISSIONER

JEAN M. H. JUNG  
DEPUTY ZONING COMMISSIONER

August 14, 1986

Lawrence M. Macks, Esquire  
6615 Reisterstown Road  
Baltimore, Maryland 21215

RE: PETITION FOR ZONING VARIANCE AND AMENDMENT  
SE/S of Cunningham Cove Rd., 410' SW of  
Cunningham Circle (12817 Cunningham Cove Rd.)  
15th Election District  
Bay Country Joint Venture - Petitioner  
Case No. 87-56-A

Dear Mr. Macks:

This is to advise you that \$67.75 is due for advertising and posting of the above property. This fee must be paid before an order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office, Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE: 8/13/86 ACCOUNT: 8-01-615-000

SIGNATURE: POSTED/RETURNED

AMOUNT: \$ 67.75

RECEIVED FROM: Lawrence M. Macks, Esq., Suite 205, 6615 Reisterstown Rd., Baltimore, MD 21215

ADVERTISING & POSTING COSTS RE CASE #87-56-A

FOR: 8 8608\*\*\*\*\*075214 21204

VALIDATION ON SIGNATURE OF CASHIER

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 15th Date of Posting: 7/12/86

Posted for: Variance

Petitioner: Bay Country Joint Venture

Location of property: 3615 Cunningham Hill Cove Rd., 410' SW of Cunningham Circle

Location of Signs: 12817 Cunningham Hill Cove Rd., 410' SW of Cunningham Circle

Remarks: Property identified above. Plans in development. Construction of signs.

Posted by: [Signature] Date of return: 7/15/86

Number of Signs: 1

Petition for Zoning  
Variance and  
Amendment

15th Election District  
Case No. 87-56-A  
LOCATION: Southeast Side of Cunningham Cove Road, 410 feet Southwest of Cunningham Circle (12817 Cunningham Cove Road)  
DATE & TIME: Tuesday, August 19, 1986, at 9:45 a.m.  
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Zoning Variance and Amendment to permit a building setback of 15 feet to the tract boundary in lieu of the required 30 feet and to amend the Fourth Amended Final Development Plan of "Cunningham Cove".

Being the property of Bay Country Joint Venture, as shown on plat filed with the Zoning Office. In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order Of  
Arnold Jablon  
Zoning Commissioner  
of Baltimore County

The Times

Middle River, Md., July 31, 1986

This is to certify that the annexed Petition for Zoning Variance and Amendment was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of three successive weeks before the 31st day of July, 1986.

James E. Dyer, Publisher

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 31, 1986

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on July 31, 1986.

THE JEFFERSONIAN,

Susan Shuler Osvelt

Publisher  
Cost of Advertising

27.50

PETITION FOR  
ZONING VARIANCE  
AND AMENDMENT  
15th Election District  
Case No. 87-56-A

LOCATION: Southeast Side of Cunningham Cove Road, 410 feet Southwest of Cunningham Circle (12817 Cunningham Cove Road)  
DATE & TIME: Tuesday, August 19, 1986, at 9:45 a.m.  
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Zoning Variance and Amendment to permit a building setback of 15 feet to the tract boundary in lieu of the required 30 feet and to amend the Fourth Amended Final Development Plan of "Cunningham Cove".

Being the property of Bay Country Joint Venture, as shown on plat filed with the Zoning Office. In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order Of  
Arnold Jablon  
Zoning Commissioner  
of Baltimore County  
7/30/86 July 31

Lawrence M. Macks, Esquire  
6615 Reisterstown Road  
Baltimore, Maryland 21215

July 11, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE AND AMENDMENT  
SE/S of Cunningham Cove Rd., 410' SW of  
Cunningham Circle (12817 Cunningham Cove Rd.)  
15th Election District  
Bay Country Joint Venture - Petitioner  
Case No. 87-56-A

TIME: 9:45 a.m.

DATE: Tuesday, August 19, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

[Signature]  
Zoning Commissioner  
of Baltimore County

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE: 7/31/86 ACCOUNT: 01-615-000

AMOUNT: \$ 50.00

RECEIVED FROM: W. Duval & Associates, Inc.

FOR: [Signature]

VALIDATION ON SIGNATURE OF CASHIER

sign the Petition for  
Thank you.

August 19, 1986

To The Zoning Commissioner  
of Baltimore County  
Room 106  
County Office Building  
Towson, Maryland

Dear Commissioner:

I have met with the Developer and Engineer for "Cunningham Cove" and I understand what will be built next to my property (12815 Cunningham Cove Rd.) if you grant the variance requested in Case No. 87-56-A. I am in favor of granting the variance and hope that you do so. Thank you.

Scott R. Fritz  
12815 Cunningham Cove Road  
Baltimore, MD 21220

August 19, 1986

To The Zoning Commissioner  
of Baltimore Co.  
Rm 106  
County Office Building  
Towson, Maryland

Case No. 87-56-A

Dear Commissioner:

I have met with Mr. Scott Fritz of 12815 Cunningham Cove Rd; the next door neighbor and believe that he is in favor of granting the variance requested in 87-56-A. As Petitioner I am also in favor of granting the petition and again ask that you please hand down a decision as soon as possible so we may complete our custom's show by Christmas. Thank you for your anticipated cooperation.

[Signature]  
Bay Country Joint Venture

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon  
TO: Zoning Commissioner Date: July 21, 1986

Norman E. Gerber, AICP, Director  
FROM: Office of Planning and Zoning

SUBJECT: Zoning Petitions No. 87-52-A, 87-48-A, 87-49-A, 87-51-A, 87-55-A, 87-56-A, 87-57-A and 87-58-A

There are no comprehensive planning factors requiring comment on these petitions.

[Signature]  
Norman E. Gerber, AICP  
Director

NEG:JGH:slm

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 24, 1986

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

cc: Chairman

MEMBERS  
Bureau of Engineering  
Department of Traffic Engineering  
State Roads Commission  
Bureau of Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial Development

Lawrence M. Macks, Esquire  
6615 Reisterstown Road  
Baltimore, Maryland 21215

RE: Item No. 458 - Case No. 87-56-A  
Petitioner: Bay Country Joint Venture  
Petition for Zoning Variance

Dear Mr. Macks:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer  
James E. Dyer  
Chairman  
Zoning Plans Advisory Committee

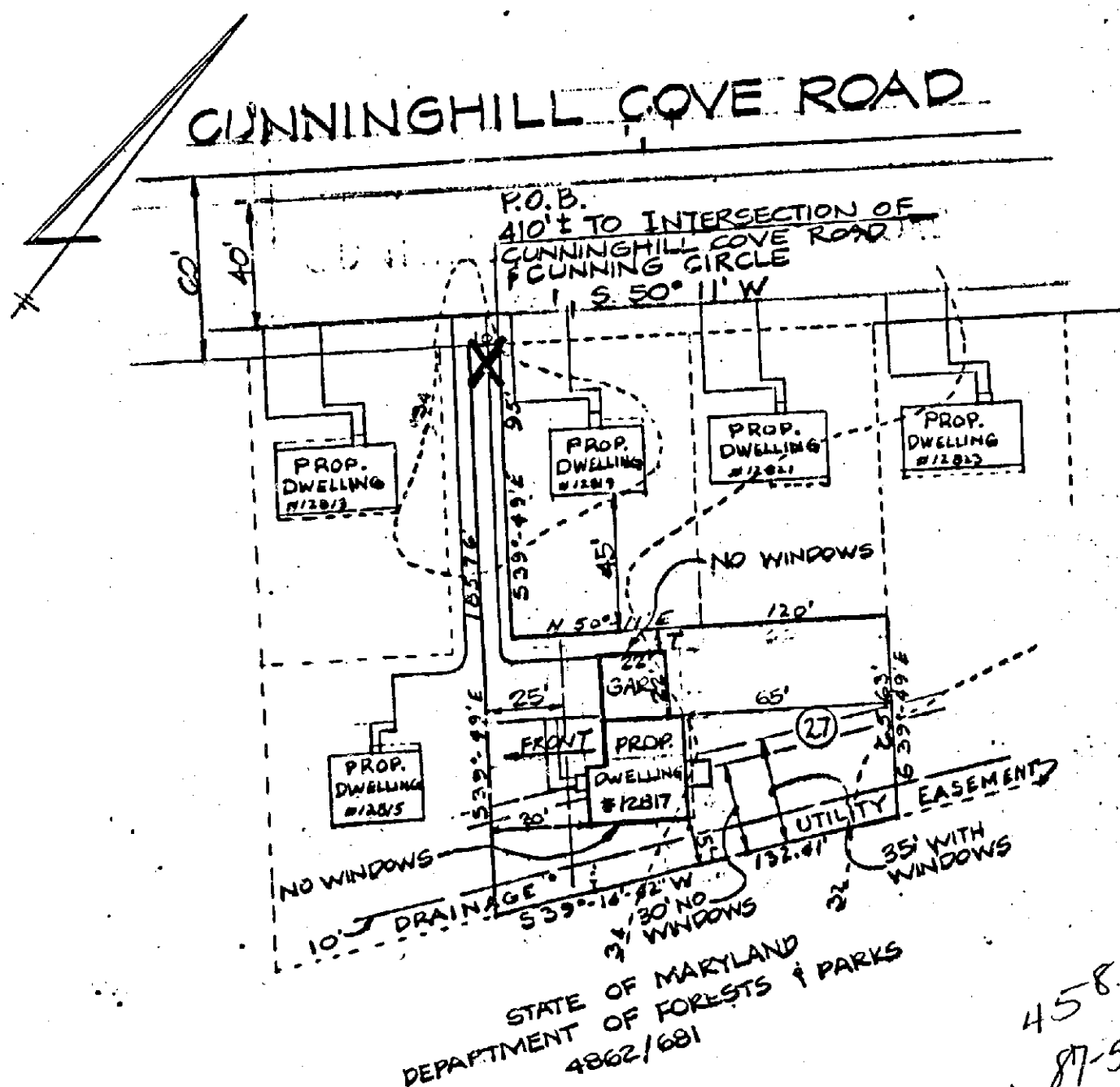
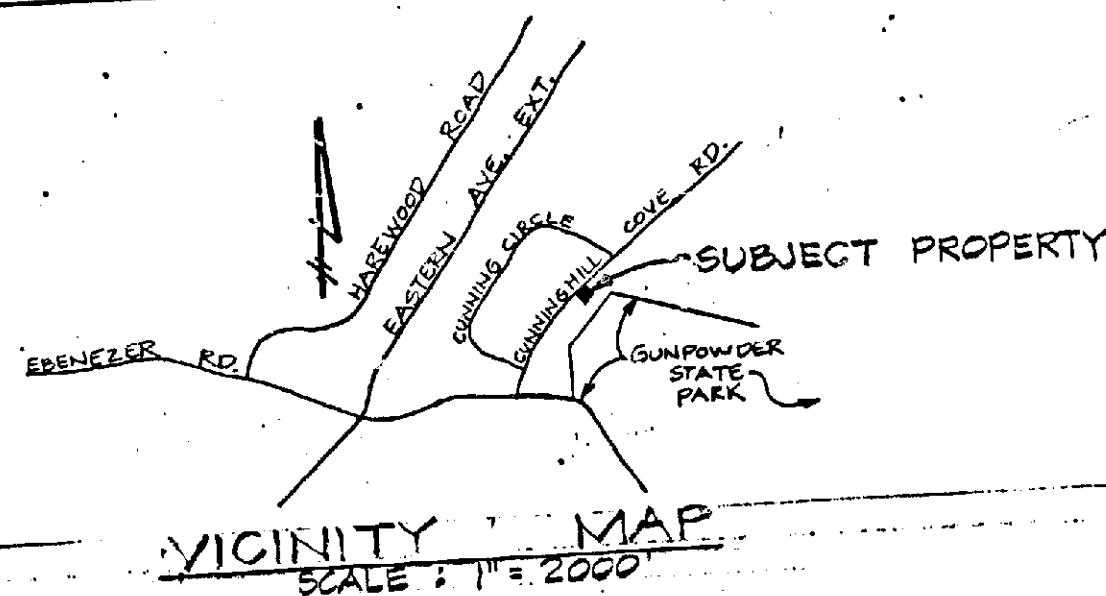
JED:kkb

Enclosures

cc: W. Duval & Associates, Inc.  
530 E. Joppa Road  
Towson, Maryland 21204

June 24, 1987



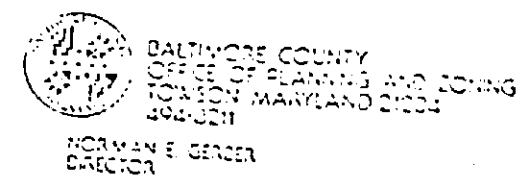


PETITIONER'S  
EXHIBIT 1

W DUVALL & ASSOCIATES INC.  
530 E. JOPPA ROAD  
TOWSON, MD. 21204  
PHONE (301) 583-9571

Zoning  
DR 5.5

FLAT TO ACCOMPANY  
TRACT BOUNDARY SETBACK  
VARIANCE AMENDMENT TO  
2nd AMENDED FINAL  
DEVELOPMENT PLAN  
LOT # 27  
#12817 CUNNINGHILL COVE RD.  
E.H.K. JR. 53/29  
15th ELEC. DIST. BALTO. CO. MD  
SCALE: 1" = 50' MAY. 7, 1986



Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

July 15, 1986

Re: Zoning Advisory Meeting of June 24, 1986  
Item # 458  
Property Owner: Bay Country Joint Venture  
Location: SE/S of Cunningham Hill Cove Rd. 410' SW of Cunningham Circle (2817 Cunningham Hill Cove Rd.)

Dear Mr. Jablon:

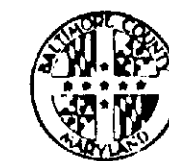
The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board.
- ☒ Landscaping: Just comply with Baltimore County Landscape Manual.
- ☒ The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is:
- ☒ The property is located in a traffic area controlled by a "B" level intersection as defined by Bill 178-79, and as conditions change are re-evaluated annually by the County Council.

☒ A COPY OF THE FINAL DEVELOPMENT PLAN WITH THE AMENDMENT ADDED SHOULD BE SUBMITTED.

cc: James Howell

Eugene A. Boher  
Chief, Current Planning and Development



BALTIMORE COUNTY  
DEPARTMENT OF PERMITS & LICENSES  
TOWSON, MARYLAND 21204  
494-3610

July 24, 1986

TED ZALESKI, JR.  
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner  
Office of Planning and Zoning  
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 458 Zoning Advisory Committee Meeting are as follows:

Property Owner: Bay Country Joint Venture  
Location: SE/S Cunningham Hill Cove Road, 410 ft. SW Cunningham Circle  
District: 15th.

APPLICABLE ITEMS ARE CIRCLED:

- ☒ All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.M.S.I. #117-1 - 1980) and other applicable Codes and Standards.
- ☒ A building and other miscellaneous permits shall be required before the start of any construction.
- ☒ Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.
- ☒ Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- ☒ All Use Groups except R-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. R-1 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 101, Section 106.2, Section 106.2 and Table 102. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- ☒ The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.

NOTE: ☒ The requested variance appears to conflict with Section(s) 809.4 of the Baltimore County Building Code. If sleeping rooms are located in the no window area, there could be a problem with design.

☒ When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use \_\_\_\_\_ to Use \_\_\_\_\_, or to Mixed Use \_\_\_\_\_. See Section 312 of the Building Code.

☒ The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

NOTE: ☒ Comments: If the structure proposed is in a 100 year flood plain riverine area it would not be permitted. If it is a 100 year tidal inundation area compliance to Section 516.1 would be required.

☒ These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Dumban, Chief  
Building Plans Review

4/22/85



BALTIMORE COUNTY  
FIRE DEPARTMENT  
TOWSON, MARYLAND 21204-2586  
494-4500

PAUL H. REINCKE  
CHIEF

June 24, 1986

Mr. Arnold Jablon  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

RE: Property Owner: Bay Country Joint Venture

Location: SE/S Cunningham Hill Cove Rd., 410' SW Cunningham Circle

Item No.: 458

Zoning Agenda: Meeting of 6/24/86

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- (x) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 750 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at \_\_\_\_\_

EXCEEDS the maximum allowed by the Fire Department.

- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- ( ) 6. Site plans are approved, as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *John F. O'Neill*  
Planning Group  
Special Inspection Division

Noted and Approved: *John F. O'Neill*  
Fire Prevention Bureau

/mb

# 458 87-56-A **PETITION FOR ZONING VARIANCE + AMENDMENT** TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1 B01.2.2.6(N.P.5B) to permit a building setback of 15 feet to the tract boundary in lieu of the required 30 feet. And to amend the fourth amended final development plan of "Cunninghill Cove".

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)  
No room for a garage with existing setbacks.

MAP NE 2M  
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E.D. 15  
DATE 4-2-87  
200  
1000  
DP

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:  
(Type or Print Name)  
Signature  
Address  
City and State

Legal Owner(s):  
(Type or Print Name)  
Signature  
Address  
City and State

Attorney for Petitioner:  
(Type or Print Name)  
Signature  
Address  
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
Name  
Address  
City and State  
Phone No.

Attorney's Telephone No. 353-4924

ORDERED BY The Zoning Commissioner of Baltimore County, this 9th day of July, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 19th day of August, 1986, at 9:45 o'clock

Zoning Commissioner of Baltimore County.  
(over)

IN RE: PETITION FOR ZONING VARIANCE  
SE/S of Cunningham Hill Cove Rd.,  
410' SW of Cunningham Circle  
(12817 Cunningham Hill Cove Rd.)  
15th Election District

BEFORE THE  
DEPUTY ZONING COMMISSIONER  
OF BALTIMORE COUNTY

Bay Country Joint Venture  
Case No. 87-56-A

Petitioner  
\*\*\*\*\*

The Petitioner herein requests a zoning variance to permit a building setback of 15 feet to the tract boundary in lieu of the required 30 feet, and additionally, to amend the Fourth Amended Final Development Plan of "Cunninghill Cove."

Testimony on behalf of the Petitioner indicates that the proposed location of the residence and the attached garage will provide more lawn and less impervious pavement, improved aesthetics and better living arrangements for the contract purchaser.

The adjacent neighbor expressed concerns and his preference that the proposed residence be laid out from east to west. Immediately following the hearing and a conference with counsel for the Petitioner, however, the neighbor submitted a letter for the file requesting the granting of the variance.

After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners, it is determined that the variance requested would not adversely affect the health, safety, and general welfare of the community and should therefore be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 20th day of August, 1986, that the herein request for a variance to permit a building setback of 15 feet to the tract boundary, and to amend the Fourth Amended Final Development Plan of "Cunninghill Cove", in accordance with

the plan submitted, prepared by W. Duvall & Associates, Inc., dated May 7, 1986 and identified as Petitioner's Exhibit 1, is hereby GRANTED, from and after the date of this Order.

Jean M.H. Jung  
Deputy Zoning Commissioner  
of Baltimore County

BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

JEAN M. H. JUNG  
DEPUTY ZONING COMMISSIONER

August 20, 1986

Lawrence M. Macks, Esquire  
6615 Reisterstown Road  
Baltimore, Maryland 21215

RE: Petition for Zoning Variance  
SE/S of Cunningham Hill Cove Road  
410' SW of Cunningham Circle  
(12817 Cunningham Hill Cove Rd.)  
15th Election District  
Case No. 87-56-A

Dear Mr. Macks:

Please be advised that your request for a zoning variance in the above referenced Petition has been granted in accordance with the attached Order.

If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,  
Jean M.H. Jung  
Deputy Zoning Commissioner

JMHJ:bjs

Attachments

cc: Mr. Scott Fritz  
12815 Cunningham Hill Cove Road  
Baltimore, Maryland 21220

People's Counsel

## **ZONING DESCRIPTION**

Beginning for the same at a point, said point being located on the southeast side of Cunningham Hill Cove Road, said point also being located 410 feet plus or minus southwest of intersection of Cunningham Hill Cove Road and Cunningham Circle, thence leaving the said Cunningham Hill Cove Road for lines of division, more particularly described as follows:

South 39 degrees 49 minutes East, 95 feet thence, North 50 degrees 11 minutes East 120.00 feet thence, South 39 degrees 49 minutes East 65.63 feet thence, South 39 degrees 14 minutes 42 seconds West 152.41 feet thence, North 39 degrees 49 minutes West 185.76 feet thence, North 50 degrees 11 minutes East 10.00 feet, to the place of beginning, containing 0.255 acres of land, more or less.

Being the lot number 27, in block "E", as shown on the plat "Part of Plat Four Cunningham Hill Cove" as recorded in the Land Records of Baltimore County, Maryland, in the 15th Election District, E.H.K. Jr. 53/29 said lot also being known as #12817 Cunningham Hill Cove Road.

## **PETITION FOR ZONING VARIANCE AND AMENDMENT**

15th Election District

Case No. 87-56-A

LOCATION: Southeast Side of Cunningham Hill Cove Road, 410 feet Southwest of Cunningham Circle (12817 Cunningham Hill Cove Road)

DATE AND TIME: Tuesday, August 19, 1986, at 9:45 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance and Amendment to permit a building setback of 15 feet to the tract boundary in lieu of the required 30 feet and to amend the Fourth Amended Final Development Plan of "Cunninghill Cove".

Being the property of Bay Country Joint Venture, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCES  
SE/S of Cunningham Hill Cove  
Rd., 410' SW of Cunningham  
Circle (12817 Cunningham  
Hill Cove Rd.), 15th District

BEFORE THE ZONING COMMISSIONER  
OF BALTIMORE COUNTY

BAY COUNTRY JOINT VENTURE,  
Petitioner

Case No. 87-56-A

## **ENTRY OF APPEARANCE**

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

Peter Max Zimmerman  
Peter Max Zimmerman  
Deputy People's Counsel  
Rm. 223, Court House  
Towson, MD 21204  
494-2188

I HEREBY CERTIFY that on this 26th day of July, 1986, a copy of the foregoing Entry of Appearance was mailed to Lawrence M. Macks, Esquire, 6615 Reisterstown Rd., Baltimore, MD 21215, Attorney for Petitioner.

Peter Max Zimmerman

87-56-A

## **BALTIMORE COUNTY OFFICE OF PLANNING & ZONING**

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this 9th day of July, 1986

ARNOLD JABLON  
Zoning Commissioner

Petitioner: Bay Country Joint Venture Received by: James E. Dwyer  
Petitioner's Attorney: Lawrence M. Macks, Esquire Chairman, Zoning Plans Advisory Committee

RECEIVED FOR FILING  
DATE 8/26/86  
BY Betty J. Johnson

June 24, 1987





BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3333

ARNOLD JABLON  
ZONING COMMISSIONER

JEAN M. H. JUNG  
DEPUTY ZONING COMMISSIONER

August 14, 1986

Lawrence M. Macks, Esquire  
6615 Reisterstown Road  
Baltimore, Maryland 21215

RE: PETITION FOR ZONING VARIANCE AND AMENDMENT  
SE/S of Cunningham Cove Rd., 410' SW of  
Cunningham Circle (12817 Cunningham Cove Rd.)  
15th Election District  
Bay Country Joint Venture - Petitioner  
Case No. 87-56-A

Dear Mr. Macks:

This is to advise you that \$67.75 is due for advertising and posting of the above property. This fee must be paid before an order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office, 111 West Chesapeake Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE: 8/13/86 ACCOUNT: 8-01-615-000

SIGNATURE: POSTED/RETURNED

AMOUNT: \$ 67.75

RECEIVED FROM: Lawrence M. Macks, Esq., Suite 205, 6615 Reisterstown Rd., Baltimore, MD 21215

ADVERTISING & POSTING COSTS RE CASE #87-56-A

FOR: 8 8608\*\*\*\*\*075214 21204

VALIDATION ON SIGNATURE OF CASHIER

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 15th Date of Posting: 7/12/86

Posted for: Variance

Petitioner: Bay Country Joint Venture

Location of property: 3615 Cunningham Hill Cove Rd., 410' SW of Cunningham Circle

Location of Signs: 12817 Cunningham Hill Cove Rd., 410' SW of Cunningham Circle

Remarks: Property identified above. Plans in development. Construction of the property is underway.

Posted by: [Signature] Date of return: 7/15/86

Number of Signs: 1

Petition for Zoning  
Variance and  
Amendment

15th Election District  
Case No. 87-56-A  
LOCATION: Southeast Side of Cunningham Cove Road, 410 feet Southwest of Cunningham Circle (12817 Cunningham Cove Road)  
DATE & TIME: Tuesday, August 19, 1986, at 9:45 a.m.  
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Zoning Variance and Amendment to permit a building setback of 15 feet to the tract boundary in lieu of the required 30 feet and to amend the Fourth Amended Final Development Plan of "Cunningham Cove".

Being the property of Bay Country Joint Venture, as shown on plat filed with the Zoning Office. In the event that this Petitioner is granted a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order Of  
Arnold Jablon  
Zoning Commissioner  
of Baltimore County

The Times

Middle River, Md., July 31, 1986

This is to certify that the annexed

Petition - Bay Country Joint Venture

was inserted in The Times, a newspaper printed and published in Baltimore County, once in each

of one successive weeks before the 31st day of July, 1986

James E. Dyer, Publisher

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 31, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on July 31, 1986

THE JEFFERSONIAN,

Susan Shuler Osvelt

Publisher  
Cost of Advertising

27.50

PETITION FOR  
ZONING VARIANCE  
AND AMENDMENT  
15th Election District  
Case No. 87-56-A

LOCATION: Southeast Side of Cunningham Cove Road, 410 feet Southwest of Cunningham Circle (12817 Cunningham Cove Road)  
DATE & TIME: Tuesday, August 19, 1986, at 9:45 a.m.  
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Zoning Variance and Amendment to permit a building setback of 15 feet to the tract boundary in lieu of the required 30 feet and to amend the Fourth Amended Final Development Plan of "Cunningham Cove".

Being the property of Bay Country Joint Venture, as shown on plat filed with the Zoning Office. In the event that this Petitioner is granted a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order Of  
ARNOLD JABLON  
Zoning Commissioner  
of Baltimore County  
7/306 July 31

Lawrence M. Macks, Esquire  
6615 Reisterstown Road  
Baltimore, Maryland 21215

July 11, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE AND AMENDMENT  
SE/S of Cunningham Cove Rd., 410' SW of  
Cunningham Circle (12817 Cunningham Cove Rd.)  
15th Election District  
Bay Country Joint Venture - Petitioner  
Case No. 87-56-A

TIME: 9:45 a.m.

DATE: Tuesday, August 19, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

[Signature]  
Zoning Commissioner  
of Baltimore County

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE: 7/31/86 ACCOUNT: 01-615-000

AMOUNT: \$ 50.00

RECEIVED FROM: W. Duval & Associates, Inc.

FOR: [Signature]

VALIDATION OR SIGNATURE OF CASHIER

sign the Petition for Thank you.

August 19, 1986

To The Zoning Commissioner  
of Baltimore County  
Room 106  
County Office Building  
Towson, Maryland

Dear Commissioner:

I have met with the Developer and Engineer for "Cunningham Cove" and I understand what will be built next to my property (12815 Cunningham Cove Rd.) if you grant the variance requested in Case NO. 87-56-A. I am in favor of granting the variance and hope that you do so. Thank you.

Scott R. Fritz  
12815 Cunningham Cove Road  
Baltimore, MD 21220

August 19, 1986

To The Zoning Commissioner  
of Baltimore Co.  
Rm 106  
County Office Building  
Towson, Maryland

Case NO. 87-56-A

Dear Commissioner:

I have met with Mr. Scott Fritz of 12815 Cunningham Cove Rd; the next door neighbor and believe that he is in favor of granting the variance requested in 87-56-A. As Petitioner I am also in favor of granting the petition and again ask that you please hand down a decision as soon as possible so we may complete our custom's home by Christmas. Thank you for your anticipated cooperation.

[Signature]  
Bay Country Joint Venture

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon  
TO: Zoning Commissioner  
Norman E. Gerber, AICP, Director  
FROM: Office of Planning and Zoning  
SUBJECT: Zoning Petitions No. 87-52-A, 87-48-A, 87-49-A, 87-51-A, 87-55-A, 87-56-A, 87-57-A and 87-58-A

There are no comprehensive planning factors requiring comment on these petitions.

[Signature]  
Norman E. Gerber, AICP  
Director

NEG:JGH:slm

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 24, 1986

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

cc: Chairman

MEMBERS  
Bureau of Engineering  
Department of Traffic Engineering  
State Roads Commission  
Bureau of Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial Development

Lawrence M. Macks, Esquire  
6615 Reisterstown Road  
Baltimore, Maryland 21215

RE: Item No. 458 - Case No. 87-56-A  
Petitioner: Bay Country Joint Venture  
Petition for Zoning Variance

Dear Mr. Macks:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

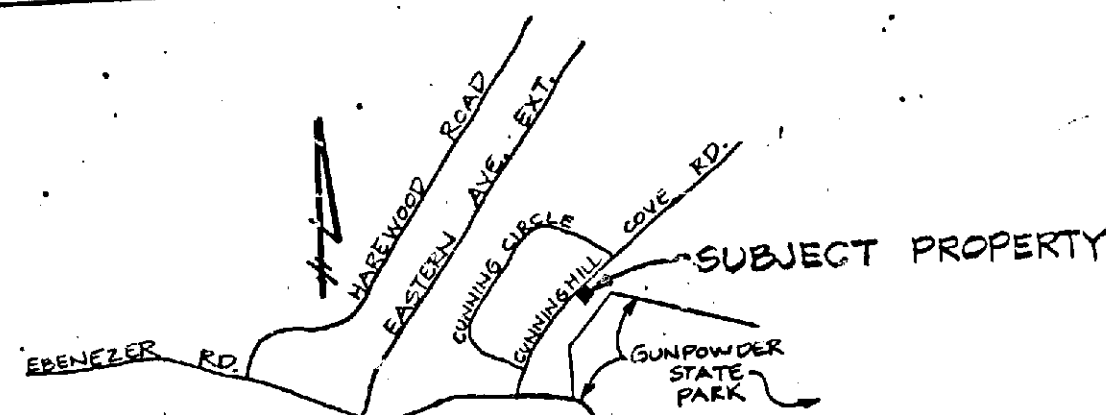
James E. Dyer  
James E. Dyer  
Chairman  
Zoning Plans Advisory Committee

JED:kkb

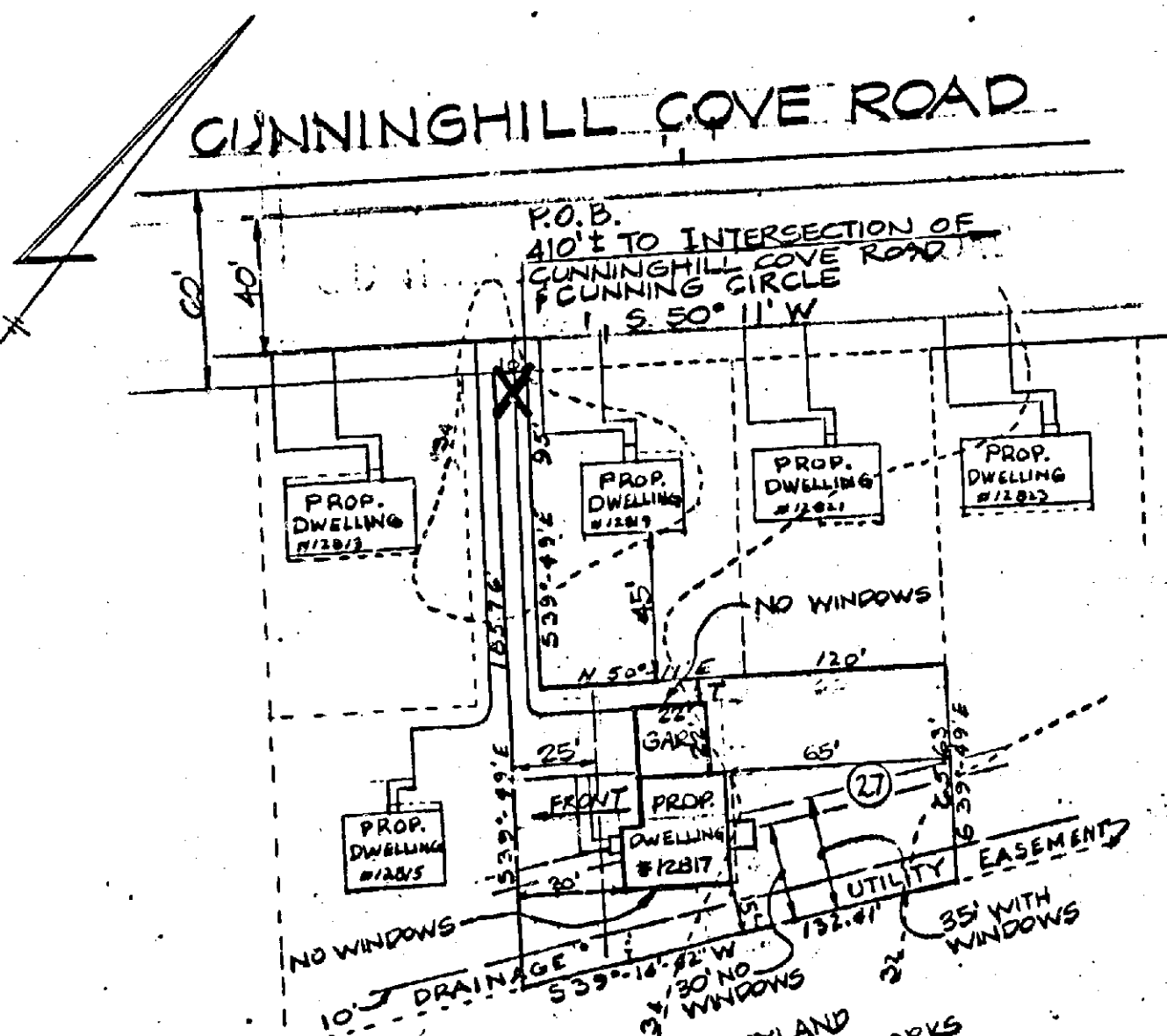
Enclosures

cc: W. Duval & Associates, Inc.  
530 E. Joppa Road  
Towson, Maryland 21204

June 24, 1987



VICINITY MAP  
SCALE: 1" = 2000'

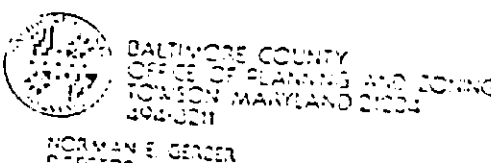


**PETITIONER'S  
EXHIBIT**

W DUVALL & ASSOCIATES INC.  
530 E. JOPPA ROAD  
TOWSON, MD. 21204  
PHONE (301) 583-9571

Zoning  
DR 5.5

FLAT TO ACCOMPANY  
TRACT BOUNDARY SETBACK  
VARIANCE AMENDMENT TO  
2nd AMENDED FINAL  
DEVELOPMENT PLAN  
LOT # 27  
#12817 CUNNINGHILL COVE RD.  
E.H.K. JR. 53/29  
15th ELECT. DIST. BALTO. CO. MD  
SCALE: 1" = 50' MAY. 7, 1986



Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

July 15, 1986

Re: Zoning Advisory Meeting of June 24, 1986  
Item # 458  
Property Owner: Bay Country Joint Venture  
Location: SE/S OF CUNNINGHILL COVE RD. 410' SW OF CUNNINGHILL COVE RD.  
Venture

- Dear Mr. Jablon:
- The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.
- ☒ There are no site planning factors requiring comment.
  - ☒ A County Review Group Meeting is required.
  - ☒ A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
  - ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
  - ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
  - ☒ The access is not satisfactory.
  - ☒ The circulation on this site is not satisfactory.
  - ☒ The parking arrangement is not satisfactory.
  - ☒ Parking calculations must be shown on the plan.
  - ☒ This property contains soils which are defined as wetlands, and development in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
  - ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
  - ☒ The amended Development Plan was approved by the Planning Board.
  - ☒ Landscaping: Just comply with Baltimore County Landscape Manual.
  - ☒ The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is:
  - ☒ The property is located in a traffic area controlled by a "B" level intersection as defined by Bill 178-79, and as conditions change are re-evaluated annually by the County Council.

**A COPY OF THE FINAL DEVELOPMENT PLAN WITH THE AMENDMENT ADDED SHOULD BE SUBMITTED**

cc: James Hoswell

Eugene A. Boher  
Chief, Current Planning and Development



BALTIMORE COUNTY  
DEPARTMENT OF PERMITS & LICENSES  
TOWSON, MARYLAND 21204  
494-3610

July 24, 1986

TED ZALESKI, JR.  
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner  
Office of Planning and Zoning  
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 458 Zoning Advisory Committee Meeting are as follows:

Property Owner: Bay Country Joint Venture  
Location: SE/S Cunningham Hill Cove Road, 410 ft. SW Cunningham Circle  
District: 15th.

APPLICABLE ITEMS ARE CIRCLED:

- ☒ All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.M.S.I. #117-1 - 1980) and other applicable Codes and Standards.
- ☒ A building and other miscellaneous permits shall be required before the start of any construction.
- ☒ Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.
- ☒ Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- ☒ All Use Groups except R-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. R-1 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 101, Section 106.2, Section 106.2 and Table 102. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- ☒ The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.

**NOTE:** ☒ The requested variance appears to conflict with Section(s) 809.4 of the Baltimore County Building Code. If sleeping rooms are located in the no window area, there could be a problem with design.

☒ When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use \_\_\_\_\_ to Use \_\_\_\_\_, or to Mixed Use \_\_\_\_\_. See Section 312 of the Building Code.

☒ The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

**NOTE:** ☒ Comments: If the structure proposed is in a 100 year flood plain riverine area it would not be permitted. If it is a 100 year tidal inundation area compliance to Section 516.1 would be required.

☒ These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

*Charles E. Burnham*  
Ch. E. Burnham, Chief  
Building Plans Review

4/22/85



BALTIMORE COUNTY  
FIRE DEPARTMENT  
TOWSON, MARYLAND 21204-2586  
494-4500

PAUL H. REINCKE  
CHIEF

June 24, 1986

Mr. Arnold Jablon  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

RE: Property Owner: Bay Country Joint Venture

Location: SE/S Cunningham Hill Cove Rd., 410' SW Cunningham Circle

Item No.: 458

Zoning Agenda: Meeting of 6/24/86

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- (x) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 750 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at \_\_\_\_\_

EXCEEDS the maximum allowed by the Fire Department.

- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- ( ) 6. Site plans are approved, as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *John F. O'Neill*  
Planning Group  
Special Inspection Division

Noted and Approved: *John F. O'Neill*  
Fire Prevention Bureau

/mb